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it set aside. This was decreed on ground that A, B, was *non compos mentis* when he executed the will. *Held*, that the proceedings under the original probate were not void, but voidable, since the court had jurisdiction, and therefore a purchaser from a devisee under the will would be protected. The court says that the case is like that of a man who buys from an executor whose appointment is revoked, where the purchaser gets a good title. *Thompson v. Samson*, 30 Pac. Rep. 980 (Cal.).

## REVIEWS.

AN INTRODUCTION TO THE STUDY OF THE CONSTITUTION. By Morris M. Cohn, Attorney-at-Law. Baltimore: The Johns Hopkins Press, 1892.

That his book is of no use to the practising lawyer as such is almost admitted by the author. Its field is in the most general study of constitutional history, — “a study showing the play of physical and social factors in the creation of institutional law,” as his sub-title puts it. Its use within this field is decidedly elementary. A fairly complete, though somewhat vague, summary of the author’s theories on the general philosophy of political growth, getting what semblance of unity it has from the conclusion that our Constitution, like unwritten ones, is “amenable to the under-current of national life,” makes up the treatise. It is, in short, an average essay of the kind naturally so popular, in which the names and general methods of science play a larger part than any actual useful research. The author gives his judgment on many ultimate laws of history, ethics, and sociology, but treats no subject in a manner thorough enough to aid a real student.

N. H.

A TREATISE ON THE LAW OF EVIDENCE. By Simon Greenleaf, LL.D. In three volumes. Fifteenth edition, revised, with large additions, by Simon Greenleaf Croswell. Boston: Little, Brown, & Co., 1892.

The number of editions through which this work has run in the fifty years of its existence is a striking commentary on its importance. Despite the shortcomings which have been brought out by modern critical study, it is to this day a standard referred to more frequently and respectfully than any other book in its department of the law.

Mr. Croswell has added about nineteen hundred cases, mostly those decided since the last edition in 1883, and has summarized the advance of the law in several of the most important and most rapidly developing branches, by means of long and elaborate notes. So far the work is well done. The latest authorities, however, are not always given; but, as is stated in the preface, there are included “mainly such cases . . . as are deemed most important in principle or instructive as showing the tendency of the courts in new lines of decision.” . . . However judicious this selection has been, it must somewhat lessen the utility of the work to a busy practitioner.

The added notes simply piece out the statements made originally by Mr. Greenleaf. They contain the recent cases, their results, and the reasons assigned by the courts, but their value would be greatly increased if Mr. Croswell had given his own conclusions in his own

words, and produced original work instead of compilation. As it stands, the book is a good piece of regulation revision, but not more.

G. R. P.

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LEADING CASES DONE INTO ENGLISH, AND OTHER DIVERSIONS. By Sir Frederick Pollock, Bart. Macmillan & Co. London and New York.

It is pleasing occasionally to receive for review a book that is not to be treated too strenuously. All of us who ever unbend know what a rich field the law offers for humorous banter, especially if we have read the literature of judicial humor in the biographies of the legal great. It is the law looked at from this distance, treated in a tone of frivolous disinterestedness, that gives Sir Frederick Pollock's light verses their charm and their excuse. Those who have found his fun an oasis among the text-books will look with interest at his more airy flight. His wings, by the way, are cased in a binding of perfect taste. And it may be said to the sober that the verses follow so accurately the facts of the cases that time spent over them is not useless as a review.

N. H.

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PRINCIPLES OF THE LAW OF WILLS, WITH SELECTED CASES. By Stewart Chaplin, Professor of Law in the Metropolitan Law School. New York : Baker, Voorhis, & Co. 1892. Pages xxiv, 505.

This book is admirably adapted to its purpose. It is a book for the use of students, clear, concise, teaching all branches of the laws of wills generally and none exhaustively. It is a view of the general principles that it is written to present, not of the details. The text is followed by cases without head-notes and freely shortened, and occasionally by abstracts of decisions, called "Illustrations." Fuller references are given in the notes. No extended discussions are undertaken of doubtful or difficult points; but for a clearly arranged and clearly written elementary explanation of the general law of wills, it is in every respect satisfactory.

N. H.

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THE AMERICAN DIGEST. ANNUAL FOR 1892, Sept. 1, 1891, to Aug. 31, 1892. Edited by the Editorial Staff of the National Reporter System. St. Paul, Minn. : West Publishing Co., 1892.

This digest, standing fairly as the best and most complete in existence, keeps the same general form as last year. The new minor changes are improvements. The size is increased (6046 pages), the new thousand pages being due largely to many new cases, partly to the methods for increased facility in finding cases (already admirable), given by more cross-references and black letter headings.

N. H.